



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

# State Water Resources Control Board



**Gray Davis**  
Governor

## Division of Water Rights

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## NOTICE OF DETERMINATION

Pursuant to Section 21108  
Public Resources Code

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To: Office of Planning & Research  
State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

From: State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812-2000  
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PROJECT TITLE: Water Quality Certification

Corps of Engineers Project  
No. 190109804

APPLICANT: Delta Wetlands Properties

PROJECT DESCRIPTION: DELTA WETLANDS PROPERTIES (DW) proposes to construct and operate the Delta Wetlands Project. The Delta Wetlands Project is a water storage project on four islands in the Sacramento-San Joaquin Delta. DW will divert surplus Delta inflows by siphon onto two reservoir islands (Bacon Island and Webb Tract) for later sale and/or release for Delta export or to meet Bay-Delta estuary water quality or flow requirements. As part of the environmental mitigation for the DW Project, DW will manage two islands, Bouldin Island and Holland Tract, as "habitat islands" through wetland recreation and wildlife habitat management.

DW submitted an application to the U.S. Army Corps of Engineers (Corps) for a permit under section 404 of the Clean Water Act. (Corps Project Reference Number 190109804.) In connection with its application to the Corps, DW submitted an application to the State Water Resources Control Board (SWRCB) for water quality certification under section 401 of the federal Clean Water Act. (33 U.S.C. § 1341.)

The DW Project includes construction of siphon and pump stations on the channel side of each of the two reservoir islands; construction of new boat docks at the pump and siphon stations on the reservoir islands; retrofitting existing siphons on the four islands with fish screens; securing new pump stations, new and existing siphon stations, and boat dock facilities with prestressed concrete pilings; and strengthening and armoring the reservoir island levees. DW will construct inner levees on the habitat island bottoms to manage shallow water. Construction on the four islands will include drainage canals and circulation ditches within the islands.

The DW Project includes a seepage control system on the reservoir islands to capture seepage of stored water from the reservoir islands and return it to storage. The purpose of the seepage control system is to avoid any significant impacts of seepage from the reservoir islands onto neighboring islands.

The DW Project will impact a total of 568.8 acres of jurisdictional wetlands on the island interiors and 323,680 sq. ft. (7.4 acres) on the channel side of the levees of the four islands. This includes 369.6 acres, 24.0 acres, 159.2 acres, and 16.0 acres of jurisdictional wetlands on the island interiors and 3.5 acres, 3.9 acres, 0.08 acres, and 0.04 acres on channel side of the levees of Webb Tract, Bacon Island, Bouldin Island and Holland Tract, respectively.

Under the Habitat Management Plan required to be implemented pursuant to SWRCB Decision 1643, the DW Project is required to provide at least 711.0 acres of new wetland habitat. DW nevertheless intends to develop in excess of 4000 acres of new wetland habitat.

PROJECT LOCATION: Sacramento-San Joaquin Delta: Bacon Island and Bouldin Island, in San Joaquin County; Webb Tract and most of Holland Tract, in Contra Costa County.

STATE CLEARINGHOUSE NUMBER: 1995093022

The State Water Resources Control Board is Lead Agency under the California Environmental Quality Act, Public Resources Code 21000 *et seq.* This is to advise that the State Water Resources Control Board has, on September 20, 2001, certified that the above-described project will comply with sections 301, 302, 303, 306, and 307 of the federal Clean Water Act and has made the following determinations:

1. A Final Environmental Impact Report (FEIR) was prepared and certified for this project.
2. As approved, the project will have significant effects on the environment.
3. Specific mitigation measures were included in the water quality certification issued by the State Water Resources Control Board.

This is to certify that the State Water Resources Control Board has considered the information in the Final Environmental Impact Report (FEIR) prior to issuing the water quality certification for the project. This also certifies that the FEIR was completed in compliance with the provisions of the California Environmental Quality Act, and the FEIR reflects the SWRCB's independent judgement and analysis. A copy of the FEIR and a copy of the water quality certification may be obtained from the contact person listed below.

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